

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

Date:-30-1-1996

SPECIAL CIVIL APPLICATION NO.4133 OF 1987.

For Approval and Signature

THE HON'BLE MR. JUSTICE N.N. MATHUR.

1. Whether Reporters of Local Papers may be allowed to see the judgment ? No.
2. To be referred to the Reporter or not ?  
No.
3. Whether their Lordships wish to see the fair copy of judgment? No.
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder? No.
5. Whether it is to be circulated to the Civil Judge? No.

Mr. P.M. Raval, Advocate, for the petitioner.  
Miss Harsha Devani, A.G.P. for the Respondents.

CORAM:-N.N. MATHUR, J.

Date:-30-1-1996

ORAL JUDGMENT:

By way of this Special Civil Application the petitioner seeks direction to restrain the respondents from removing the cabin situated on Delwada road of Una.

2. This Court granted interim relief on 24-8-1987 in terms of para 21(B) which was modified by the order dated 31-7-1987 and it was made open for the respondents to offer alternative accommodation to the petitioner. The Una Nagarpalika brought to the notice this Court that the petitioner is a rich person having property worth several lacs of rupees and he is constructing Shopping Centre in town. Considering the facts of the case, this Court by

the order dated 7-12-1988 further modified the interim relief and it was made open to the Una Nagarpalika to take action in accordance with law for removing the construction.

3. In the facts of the case, this Special Civil Application has become infructuous and is accordingly rejected. Rule is discharged. Interim Relief stands vacated.

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